12 July 53

15

# TO THE Supreme Authority, FOR THE Common-wealth OF ENGLAND.

BRITISH MUSEUM

## *The Humble Petition of* John Lilburn *Esquire, Prisoner in* Newgate.

SHEWETH,

THat your Petitioners sufferings have bin so many and so extream, both for injustice and cruelty, That it astonisheth his Understanding to consider, that amidst a Generation pretending so strongly to piety, righteousnes, justice and good Conscience; to deliver the Captive, and to set the oppressed free; It should be his portion nevertheless, to be continually oppressed, and his life and blood thirsted after, and that without any reall cause at all, as through Gods goodnes hath hitherto manifestly appeared in his wonderfull deliverances. In so much, that notwithstanding, the usuall crimes laid to his charge, have been, either



1 2 3 4 5
O/N40201/17 1 E1952(15) 2

ther ſedition, fellowſhip or treaſon; and proſecuted with the greateſt violence and craft, that wicked men in power could contrive (yea even upon tryall for his life, denying him all the priviledges of the Law, that was never denied before to the greateſt of Traytors:) yet through an Almighty over-ruling providence of the Lord, the conſtant and ſure Rock of his ſalvation, the iſſue ever as yet, hath been but a clear manifeſtation of their bloudy intentions towards him, and of his innocency and uprightneſs; and that their malice againſt him, hath not proceeded for any offence done in the leaſt by him againſt the publick, but for his zeal againſt all tyranous practices in whomſoever, and his faithfull affections to the liberties of his native and dear Countrey; in the worſt of times without any the leaſt ſtaggering. And though the trouble he is under at preſent, be as cauſleſs and groundleſs as any of the former; yet hath it a face of danger towards him, as threatning as ever, and that not onely in reſpect, the cruel malice of his adverſaries is ſtill the ſame; but alſo in regard of error of moſt mens underſtandings, ſwaying them to an over reverend eſteem of Acts of Parliament, though never ſo apparantly unjuſt in themſelves, and contrary to the known and declared truſt of the people conferred upon them; and to the known and declared fundamental Laws of *England*, confirmed and clearly expreſſed in the Petition of Right, which even to parallel themſelves ought to be their rule and guid, and which in the leaſt they ought not to violate or encroach upon: yet in times by paſt, the contrary hath often been ſeen, whereby the lives of the moſt juſt and godly men have been too frequently taken away in *England*; and by which ſnare, he evidently ſees there is an intention now to deſtroy him, although really without any juſt ground or ſhadow in Law or reaſon. But confidently hoping that he is under a ſupream Authority, that are not his engaged adverſaries (as moſt of the former were, and who againſt the light of nature and reaſon, made themſelves his Judges alſo) and that cannot be drawn, either to approve, or to be ſilent or inſenſible, at the ſight of ſuch ſnares viſibly laid to intrap the innocent and upright; or that will ſuffer his life to be endangered upon ſo ſlight an accompt, as never any in *England*, (yea in the whole world, in any

place

place that peofeſſed common honeſty, Law or juſtice) ever was, he hath thence received incouragement to intreat your ſerious conſideration, of every circumſtance inducing the late Parliament to the making of theſe haſty and incon ſiderate reſolves, or votes of Parliament, (whereby, by common fame and not otherwiſe, they voted him to pay 7000 l. fine, and to go into perpetuall baniſhment And to be taken as a fellon when ever he ſhould return,) and to judge impartially, whether any part there of, or all joyned together, can make a crime, which in the eye of the Law of *England* can juſt y entitle or denominate any man a fellon, and for which death were a juſt puniſhment, The utmoſt they laid to his charge, being that he ſhould be of Councel with Mr. *Joſiah Primate*, in a Petition that ſaith, Sir *Arthur Haſlerig* had overawed the Committee at *Haberdaſhers* Hall, to give a falſe Judgement contrary to the plain evidence before them; The drawing of which Petition the ſaid Mr. *Primate* freed your Petitioner from, at the very Barr of the Parliament Houſe, and avowed the Petition for his own, as alſo the printing of it by his own ſpeciall Order; ſo that all, that at moſt that can be laid to your Petitioners charge, about all that buſineſs that it may be conſtructed, (and no more) he was voted to baniſhment (for that act upon which as a fellon he is now impriſoned by the Lord Maior of *London*, being made after his departure from *London*, and which he never ſee, nor heard of in all his life, till he red it in a News Book in *Amſterdam*,) could at moſt be nothing elſe, but for his being at councel with his Clyent the ſaid Mr. *Primate*, or for delivering at the Parliament door ſome of Mr. *Primates* printed Petitions, before the Originall written Copy could be got read in the Houſe; although the doing thereof was the onely probable means to get the original petition publiquely read in the Houſe, And the practiſe of delivering Printed Petitions at the Parliament door, before the original written Copy could be got publiquely read in the Parliament Houſe, was as common and ordinary a thing, as for people to eate when they were hungry; all which had it legally in the leaſt been indeavoured to be proſecuted againſt your Petitioner, as it never was (the report upon which the Parliament grounded there haſty Votes, being not truely but

 partially

partially and falsely made, as by some sitting then in the House, that heard the businesse at the Committee, he hath been certenly informed) or had he been heard in his own defence against any charge before he was Voted against. (as he never was in the left) yet he humbly conceives it not only falls far short, either of death, or of banishment; or such an unheard of fine as 7000 l. or of the manifold dangers and miseryes, that he and his poor family have been constantly afflicted withall, during the whole time of his being beyond the Seas; as that in all the declared Laws of England there will not the left shaddow of punishment be found for so being of Councell, and so delivering a Printed Petition, which is the utmost of crimes that can be laid to your Petitioners Charge, or is laid to him, for which it can be immagined the said cruel Votes or Resolves of banishment, &c. past against him, as by the Printed proceedings of the Parliament upon the Petition and appeal of *Josiah Primat* of *London* Leatherseller doth appear, a true Copy of which as it is Printed by the Parliaments Printer is here unto annexed.

Upon all which considerations your Petioner humbly intreats that his Life, and good Name, his Wife, his inocent and smal Babes, Parents and relations with the *Liberties*, and *Freedomes* of *ENGLAND*, and the preservation of a good Conscience to your selves may be more preicous in your esteeme, then to be hazarded upon so groundless, yet cruel and bloudy Votes, or any thing depending thereupon, of a most unjust Parliament; And that in tender regard to the preservation of his innocent life and bloud, you will be pleased to declare the said Votes and all things whatsoever depending thereupon, to be null and void, as indeed they are in Law in themselves, to free your Petitioner from his present infamous and burthensome imprisonment; to cause Sir *Arthur Hasterig* to restore him his estate, which by force of the foresaid unjust Votes, or something thereupon depending he hath most unjustly, cruelly, and covetously taken away from him, his poor wife, and children; and added it to his vast and hastily gotten estate, in these late woful and miserable ruining times. Also that you will please to order, from first to last, a legal re-hearing of the Cause, which occasioned your Petitioners assisting, in complaint against Sir *Arthur Hasterig*, and the Members of the Commitee

mittee of Haberdashers Hall, and that his Uncle Mr. *George Lil-burn*, and the other Tenants to Mr. *Primate*, may be put in the ſame condition and poſſeſſion of the Colliery of Harroton (being the thing in queſtion) that they were before Sir *Arthur Haſlerig* by his will and pleaſure, without all ſhadow of Law or Ordinance of Parliament, by force and violence diſpoſſeſſed them, that ſo the ſaid Collery may not by Sir *Arthur Haſlerig's* cunning and power-full intereſt be ſold for a Delinquents; whereas indeed and in truth it is nothing leſs, but really and truly is the real proprieties of perſons alwayes well-affected to the Commonwealth of England; at which hearing, if you pleaſe to grant it, he doubts not but to make it evidently to appear that his affiſting in the ma-naging of the ſaid complaints, were not without great compulſive and juſt cauſe, and that Sir *Arthur Haſlerig*, and the Members of that Committee, may be left free to the Law to ſeek for their le-gal remedy there for any wrong they conceive your Petitioner hath done them, and that he may not be abridged of the like li-berty againſt them, And all others whatſoever, that he apprehends hath dealt with him *contrary to Law and Juſtice*. *Theſe things he humbly prayeth may be ſpeedily effected, according to the preſſing exi-gency of the occaſion, and that you will not be with held from affording him this Juſtice and this your juſt protection, through any ſuggeſtions touching his turbulency of ſpirit, which his powerful Adverſaries moſt unjuſtly have been alwayes ready to caſt upon him neither conſi-dering his ſufferings nor provocations. Sufficient to diſtract the Wiſeſt of men, which never yet tranſported him unjuſtly or illegally to violate any mans peace or ſafety. And therefore he doth with confidence in al humility aver, that for this 20 years together he never began a quar-rel or conteſt with any man in the World that he can remember, but was alwayes forced and compelled for his own preſervation, to take up the Buckelers of Defence in all conteſts he hath ever been ingaged in, from the firſt day of his publike and extraordinary cruel ſufferings, to this hour, and yet hath alwayes been an earneſt Profeſſor of a juſt, ra-tional and moderate accommodation in all his troubles, or conteſts; which being hitherto conſtantly refuſed by his potent Adverſaries; the powerfull protection and goodneſſe of the Lord* Jehovah, *his own innocency, and his conſtant adhearing to the Good Old fundamental Laws of* England *the badges of Freedom as they are truly called*

in

in the late Parliaments Declaration of the 17 of March 1648. hath always hitherto, with Honour and safety, brought him off: and unto those, that commonly accuse him to be a troubler of England, he can truly, and uprightly, and with a good and clear conscience answer them as honest Elisha did wicked Ahab; when he taxed him for a troubler of Israel, unto which he answered; I have not troubled Israel, but thou and thy Fathers House, in that you have forsaken the Commandments of the Lord, and thou hast followed Baalim, and that you will not be hindred through any suspitions of his compliance with Charls Stuart, or his Party (a pernicious ingredient that his adversaries have always in readiness to cast into his Dish, though they know it as false as Hell, and beleive not themselves in this there machavilian report) your Petitioner profession as in the presence of the Lord his preserver, before whom he knows he must render a strict accompt of the secretest and closest of his actions that he returned into his native Country with no worse resolution to the true and Universal Welfair thereof, then he engaged at the first in the late Parliaments quarrel against the late King; and with a serious resolution to live privately and civilly upon his own, without intermedling in any other affairs; and that what liberty soever he hath taken of discourse, or company with any opposite party beyond the Seas, yet he never in the least stagered in his fidelity to the cause of liberty and freedom that he first engaged in; and would chuse rather to dye then to do any thing so directly opposite to his conscience and understanding, and the true welfaire of the Land of his nativity.

Your petitioner cannot but believe the impulsions of God are strong within and amongst you, earnestly and vehemently pressing you to do in this case to your Petitioner, as you would be done unto in the like condition. Oh dear Christians quench not that good Spirit; and his Deliverance cannot be far of; and honor and indear your selves at the first beginning in the eyes of the honest people of England, as the late Parliament or house of Commons did at their first begining in Anno 1640. who in the very first days of their sitting made it earnest, zealous hearty work to fetch home the exciled, and to ease the Captive, and set the oppressed free, which in the day of their distresse in the late Wars with the King was as a sure and unshakeable sheild and buckler unto them.

Newgate Tuesday 12 of July, 1653.

And Your Petitioner shall ever pray, &c.

JOHN LILBURN.

IN the fourth place, I muſt declare to the Reader, that very good Intelligence tels me, that yeſter-night very late, when the Grand Jury was almoſt jayded and tired by the moſt illegal, and unjuſt tyrannical Combination of the ſaid *John Fowke*, Lord Major of *London*; *William Steal*, Recorder of *London*, and the Marſhall of the City, (with his Under ſlaves,) and *Edmond Prideaux*, Attourney General, and his blood thirſty Agents, have moſt illegally forced the Grand or firſt Jury to finde the Bill of Indictment, upon the foreſaid Act of Baniſhment, againſt the ſaid *John Lilburne* Eſq; upon the moſt falſe and untrue oaths of the ſaid Marſhall of *London*, and ſome of his ſervants, Under catch poles or ſlaves, which were to this effect, *viz.* That *John Lilburne*, the fore mentioned Petitioner, did confeſs to the ſaid Lord Major of *London* at his late committing, that he was that *John Lilburn* meant in the ſaid unjuſt Act of Baniſhment; which is the moſt falſeſt thing in the World, as Mr. *Juſtice Moore*, Mr. *Thomas Prince*, and divers other honeſt perſons, then preſent at all the diſcourſe with the Lord Major and ſufficiently able to juſtifie it: the ſaid *John Lilburne* in all his diſcourſes, diſavowing, that he is not in the leaſt the man mentioned in the ſaid Act.

And further, the Reader is to know, that this preſent *Tueſday* morning the ſaid Marſhall, being queſtioned by ſome of Mr. *Lilburnes* friends, for his Roguery and falſe ſwearing againſt him, did voluntarily ſay, that he was forced, compel'd, or threatened thereunto; therefore, good Reader, judge ſeriouſly of the moſt blood-thirſty malice of the above-ſaid Conſpirators, and their chiefeſt ſetters on againſt poor Maſter *Lilburns* life, who, at the moſt, if he were the man meant in the ſaid Act of Baniſhment, it is but a poor Engliſh Fellow, who may expect in reaſon more favour then a Scotch Traitor: and what favour one of them hath had, thou muſt perceive by reading theſe true lines following.

Middx. ſſ. *The Examination of* James Sybbald, *Doctor of Divinity, taken this 6th. day of* January, *in the year of our Lord God* 1[illegible], *before* Richard Powell, *and* Joſias Berners *Eſqs; two of the Juſtices of Peace for the County of* Middleſex.

CONfeſſeth himſelf to be by Nation a *Scot*, and to be born in *Benhelme*, in the County of *Mearnes* in *Scotland*, about the year of our Lord God 1600. Con-

Confeſſeth, that he hath no licenſe to be in *England*, ſaith that his conſtant reſidence ſince he lately returned out of *Holland* is in Clerkenwell, *Middleſex*, where he hath been Preacher of the Goſpel for about twenty years paſt.

Middx ſſ. *To the Keeper of New-Priſon at Clerkenwell, or his Deputy.*

WE ſend you herewith the body of *James Sybbold*, Doctor in Divinity, being a *Scot*, and remaining in *England* without licenſe, contrary to an Act of Parliament, *Auguſt* 2. *Anno* 1651. by which Act the ſaid offence is made Treaſon; you ſhall therefore detein him in your ſafe Cuſtody, untill by due courſe of Law he ſhall be delivered. And this ſhall be your Warrant; Dated this ſixth of *January*, 1651.

*Joſias Bamers.*
*Richard Powell.*

*Monday* 29th. of *March*, 1652.
*At the Counſel of State at* White-hall.

*Ordered*,

THat Doctor *Sibbold* be bailed, he entring into five hundred pound bond for himſelf, and two Sureties, each of them two hundred and fifty pounds; the Condition to be, That he ſhall be reſponſable to Juſtice, and that in the mean time he ſhall act nothing prejudiciall to the Common-wealth, and the Keeper of the New-priſon is to bring the ſaid Doctor *Sibbold* with his Sureties forthwith to the Secretary of the Council of State, there to give ſecurity, as aforeſaid, and this ſhall be his Warrant and ſufficient diſcharge.

BRITISH MUSEUM

*Signed in the Name, and by Order of the Council of State, appointed by Authority of Parliament:*
John Liſle, *Preſident.*

*To Mr.* Dodſon, *Keeper of the New priſon.*

*Sir* Arthur Haſlerick *procured the Doctors Inlargement, and was the onely man in it to follow it.*

Now the great God of Heaven and Earth judge impartially betwixt Mr. *Lilburne*, and his great and blood-thirſty perſecutors.

*FINIS.*